



Docket No. PU3571US

3736

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United States Patent and Trademark Office

In re Application of Lenhard et al.

Examiner: R. Zeman

Serial No: 09/441,493

Unit: 3736

Filed: November 17, 1999

Title: Infrared Thermography

Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated February 23, 2001, Applicant elects without prejudice the invention claimed in group III that includes claims 9 through 12, drawn to methods of determining the temperature of internal organs. This election is made with traverse, since paper number 6 dated February 23, 2001, which set forth the Restriction Requirement, does not explain how the inventions of Groups I, II and III are independent. As 35 USC section 121 requires that two or more inventions be both independent and distinct, applicants maintains that the Restriction Requirement of record is not proper.

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Respectfully submitted:

Date: 3/19/01

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, DC 20231 on 3/19/01 in accordance with the provisions of 37 CFR 1.8.

Marilyn Eldridge